

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-10 and 17-25. Claims 1, 17-19 and 21-25 are amended herein. No new matter is presented. Claims 11-16 remain cancelled.

Thus, claims 1-10 and 17-25 are pending and under consideration. The rejections are traversed below.

EXAMINER INTERVIEW:

Applicants would like to thank the Examiner for taking the time to conduct an Examiner Interview regarding the outstanding rejections.

During the Interview, amendments were discussed to place the rejected claims in condition for allowance. The features added are set forth below.

If there are any pending matters, Applicants respectfully request that the Examiner contact the undersigned before acting on the case in order to expedite prosecution.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1-10 and 17-25 remain rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0002502 (Maes) in view of U.S. Patent Application Publication No. 2003/0061211 (Shultz).

Maes does not teach or suggest "generating article data having features extracted from an article picture related to a data sending rank defining an order in which said article picture is to be sent" and "determining similarities between features among a plurality of search resultant article pictures in response to an article search by a user", where article picture arrangement data indicates "display positions of said search resultant article pictures on a screen of the user terminal... independent of the data sending rank, as recited for example in claim 1. See also claims 17, 19 and 21 reciting similar features.

Instead, Maes merely claims to facilitate user selection of products with a similar attribute value after having the user view the article pictures and select an attribute value (see, Fig. 3 including corresponding text).

Maes does not teach or suggest ranking or sorting article images based on "similarities between features extracted from corresponding article images" and providing search resultant article images of articles with "similar features extracted from corresponding article images in

adjacent positions” (claim 22) and “providing sorted images where the articles having “similar features extracted from corresponding images are displayed as a unified group” (claim 23). See also independent claim 24 reciting “determining similarities between features of articles extracted from corresponding article images and based on inputs of the providers.”

Independent claim 25 recites, “sorting pictures of articles [where] said sorting being indicative of a first order for displaying said pictures on a screen by determining similarities between features extracted from corresponding pictures matching said search request” and “transmitting said pictures according to a second order... indicating a sequence in which said pictures are to be sent regardless of said first order.”

Maes does not teach or suggest the above features of the independent claims 22-25. Instead, Maes is directed to calculation of similarity between an article specified in a query by a user and search results and arranges the search results in a decreasing order of similarity to the article specified by the user (see, paragraphs 27 and 62).

As discussed above, independent claims 1, 17, 19 and 21-25 patentably distinguish over Maes. Further, as Shultz merely assigns relevance to search results by limiting the results to user-specified geographic criteria and displays the results based on relevancy of the criteria, Shultz does not cure the deficiencies of Maes regarding the independent claims of the present application.

In particular, Shultz does not teach or suggest “generating article picture arrangement data in which said search resultant article pictures having more similar features extracted from corresponding article pictures are more closely disposed”, as recited in claim 1 for example. Shultz does not teach or suggest presenting data based on similarities of features extracted from article picture(s). See also each of independent claims 17, 19 and 21-25 reciting similar features.

Instead, the sorting in Shultz is based on sorting criterion such as geographic location, time and price, where if the criterion is decreasing order of price, articles having prices close to one another are displayed close to each other (see, paragraphs 18, 60 and 61).

It is therefore respectfully submitted that the independent claims are patentably distinguishable over Maes and Shultz.

Claims depending from the independent claims include all of the features of that claim plus additional features which are not disclosed by Maes and Shultz. For at least these reasons,

claims depending from independent claims are patentably distinguishable over Maes and Shultz.

The dependent claims are also independently patentable. For example, as recited in claim 4, "a service user previously selects items to be considered in purchasing an article and notifies a service provider of the selection" and "the service provider determines the data sending rank in accordance with the notified items". Maes and Shultz, alone or in combination, do not teach or suggest these features of claim 4.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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